



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**BLAPL No.1477 of 2026**

***Niranjan Khatua***

... ***Petitioner***  
*Mr. S. Mitra, Advocate*

-versus-

***State of Odisha***

... ***Opposite Party***  
*Mr. P. Satpathy, Addl. PP*

**CORAM: JUSTICE G. SATAPATHY**

**ORDER(ORAL): 25.03.2026**

**Order No.**

**01.**

1. This is a bail application U/S.483 of the BNSS by the petitioner for grant of bail in connection with Excise EI & EB Unit II PR Case No. 236 of 2025 corresponding to 2(a) CC Case No. 75 of 2025 pending in the Court of learned 3<sup>rd</sup> Addl. Sessions Judge, Cuttack for commission of offence punishable U/S.21(b) of the NDPS Act, on the main allegation of possessing 150 Grams of Brown Sugar.
2. Heard, Mr. Somanath Mitra, learned counsel for the petitioner and Mr. P. Satpathy, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioner, Mr. Mitra volunteers to withhold bail to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.
3. After having considered the rival submissions and taking into consideration the nature and gravity of the offences as alleged against the petitioner vis-à-vis the accusations sought to be brought against him and regard being had to the pre trial detention of the petitioner in custody since 12.07.2025 with framing of charge in the meantime and taking into account the other



circumstances on record in entirety including the well recognized principle "*bail is the rule, but jail is the exception*" and there being no criminal antecedent of similar nature reported against the Petitioner, this Court without expressing any view on merit admits the petitioner to bail, but subject to verification of his criminal antecedent for offence under NDPS Act.

4. Hence, the bail application of the petitioner stands allowed and he is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

In view of the specific submission as advanced for the petitioner, the benefit of this order shall not be extended to the petitioner, if he is found to have any criminal antecedent of similar nature for commission of offence under NDPS Act.

5. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

**(G. Satapathy)**  
**Judge**